

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

IN RE:)	Chapter 7 – Consolidated Cases
)	
EMPLOYEE-SERVICES.NET, INC., and)	Case No. 14-30584 (Lead Case)
EEMPAYROLLSERVICES, LLC,)	
)	
Debtors.)	

**APPLICATION FOR EX PARTE ORDER AUTHORIZING TRUSTEE TO RETAIN
ACTIONABLE INTELLIGENCE TECHNOLOGIES, INC.**

COMES NOW Wayne Sigmon, in his capacity as Chapter 7 Trustee (the “Trustee”) for the substantively consolidated estate of Employee-Services.Net, Inc. (“ESN”) and eePayrollServices, LLC (“EEP,” and together with ESN, collectively, the “Debtors”) and, pursuant to Section 327 of the Bankruptcy Code and Rule 2014 of the Federal Rules of Bankruptcy Procedure, hereby files this Application for Ex Parte Order Authorizing Trustee to Retain Actionable Intelligence Technologies, Inc. (the “Application”). In support thereof, the Trustee respectfully states as follows:

1. On April 9, 2014, certain petitioning creditors filed an involuntary petition under Chapter 7 of the Bankruptcy Code against ESN.
2. On May 5, 2014, the Court entered an Order for Relief and appointed the Trustee as the interim trustee in the ESN case.
3. On April 15, 2014, certain petitioning creditors filed an involuntary petition under Chapter 7 of the Bankruptcy Code against EEP.
4. On April 23, 2014, the Court entered an Order for Relief and appointed the Trustee as the interim trustee in the EEP case.

5. On November 13, 2014, the Court entered an order substantively consolidating the Debtors' bankruptcy cases.

6. The Trustee is the duly appointed, qualified, and acting trustee for the substantively consolidated Chapter 7 estate the Debtors.

7. To administer this case in a proper, efficient, and economical manner, the Trustee believes it would be in the best interest of the estate and its creditors for the Trustee to employ Actionable Intelligence Technologies, Inc. ("AIT") located at 105 Executive Drive, Suite 200, Dulles, Virginia, 20166.

8. AIT will process approximately ten (10) gigabytes of paper and electronic bank statements for accounts held by the Debtors and capture all data and transactions into a centralized, comprehensive digital database. Given the sheer volume and extent of the transactions involved, this will allow the Trustee to quickly identify the flow of money in and out of the Debtors' bank accounts and identify transactions that may be overlooked when done manually. Moreover, the data capture will save the Trustee and his accountant hundreds of hours of review time.

9. The Trustee shows that AIT has the knowledge and experience necessary to handle the matters for which AIT is to be engaged, and is well qualified to represent the Trustee. AIT has decades of experience conducting large, complex financial investigations including domestic and international securities fraud, corruption, Ponzi schemes, tax fraud, money laundering, and conspiracy cases. AIT's clients include federal and state law enforcement agencies, regulatory agencies, commercial forensic accounting firms, financial investigative firms, and law firms. A Statement of Work ("SOW") describing the scope of AIT's engagement and the rates to be

charged is attached hereto as Exhibit A. A verification pursuant to Rule 2014 of the Federal Rules of Civil Procedure is attached hereto as Exhibit B.

10. To the best of the Trustee's knowledge, AIT does not hold or represent an interest adverse to the Estate, and is a disinterested person as that term is defined under Section 101(14) of the Bankruptcy Code.

WHEREFORE, the Trustee prays for authority to retain and employ Actionable Intelligence Technologies, Inc. to provide data processing services to the Trustee for the purposes specified hereinabove and for such other and further relief as may be just and proper.

This 5th day of October, 2015.

WOMBLE CARLYLE SANDRIDGE & RICE, LLP

/s/ Thomas W. Waldrep, Jr.

Thomas W. Waldrep, Jr. (NC State Bar No. 11135)

Jennifer B. Lyday (NC State Bar No. 39871)

One West Fourth Street

Winston-Salem, NC 27101

Telephone: 336-747-6631

Telefax: 336-726-8531

Email: bankruptcy@wcsr.com

Counsel for Wayne Sigmon, Chapter 7 Trustee

CERTIFICATE OF SERVICE

I hereby certify that the foregoing APPLICATION FOR EX PARTE ORDER AUTHORIZING TRUSTEE TO RETAIN ACTIONABLE INTELLIGENCE TECHNOLOGIES, INC. was filed electronically in accordance with the local rules and were therefor served electronically on those entities that have properly registered for such electronic service by CM/ECF and also by United States Mail, first class, for those entities not registered for electronic service (see attached Schedule "1").

Dated this 5th day of October, 2015.

WOMBLE CARLYLE SANDRIDGE & RICE, LLP

/s/ Thomas W. Waldrep, Jr.

Thomas W. Waldrep, Jr. (NC State Bar No. 11135)

Jennifer B. Lyday (NC State Bar No. 39871)

One West Fourth Street

Winston-Salem, NC 27101

Telephone: 336-747-6631

Telefax: 336-726-8531

Email: bankruptcy@wcsr.com

Counsel for Wayne Sigmon, Chapter 7 Trustee

Schedule 1

VIA U.S. MAIL

Employee-Services.net, Inc.
c/o James Staz
754 Pinnacle Drive
Iron Station, NC 28080

Michael R. Lee
Lee Law Offices, P.A.
PO Box 2229
Spartanburg, SC 29304-2229

EEPAYROLLSERVICES, LLC
c/o William Staz
14530 Vermillion Drive
Huntersville, NC 28080

Michael K. Elliott
Elliott Law Firm, P.C.
PO Box 1821
Huntersville, NC 27078

Senior Resources of Guilford
c/o Douglas J. Gentry
PO Box 21993
Greensboro, NC 27420

Women's Resource Center of Greensboro
c/o Ashley Brooks
628 Summit Avenue
Greensboro, NC 27405

Langdon M. Cooper, Trustee
PO Box 488
Gastonia, NC 28053-0488

VIA ECF

Linda Simpson
U.S. Bankruptcy Administrator
402 West Trade Street, Suite 200
Charlotte, NC 28202-1669

U.S. Attorney's Office
227 West Trade Street
Suite 1700
Charlotte, NC 28202

Rayford K. Adams III
Spilman Thomas & Battle, PLLC
110 Oakwood Drive, Suite 500
Winston-Salem, NC 27103-1958

Scott R. Miller
Johnston Allison & Hord, P.A.
1065 E. Morehead Street
Charlotte, NC 28204-2812

Martin L. Brackett Jr.
Robinson Bradshaw Hinson P.A.
101 North Tryon Street, Suite 1900
Charlotte, NC 28246-0106

Andrew L. Fitzgerald
Wall Esleeck Babcock LLP
1076 West Fourth Street
Winston-Salem, NC 27101-2440

Mary Cabell Clay
Moore Van Allen PLLC
100 North Tryon Street, Suite 4700
Charlotte, NC 28202-4003

Bryan W. Stone
Arnold & Smith, PLLC
200 N. McDowell St.
Charlotte, NC 28204-2213

James E. Vaughan
Blanco Tackabery & Matramoros, PA
PO Drawer 25008
Winston-Salem, NC 27114-5008

Gerald S. Schafer
Attorney at Law
220 Commerce Place
Greensboro, NC 27401-2427

Kate Payerle
Robinson Bradshaw & Hinson
101 N. Tryon St., Suite 1900
Charlotte, NC 28246-0106

William E. Burton III
Smith Moore Leatherwood LLP
PO Box 21927
Greensboro, NC 27420-1927

Richard B. Fennell
James, McElroy & Diehl, PA
600 S. College Street
Charlotte, NC 28202-1825

Ethan John Fleischer
Bugg Wolf, PA
PO Box 2917
Durham, NC 27715-2917

J. Trevor Johnston
McGuireWoods LLP
PO Box 31247
Charlotte, NC 28231-1247

Ross Robert Fulton
Rayburn Cooper & Durham, P.A.
227 West Trade Street, Suite 1200
Charlotte, NC 28202-1672

G. Martin Hunter
G. Martin Hunter, Attorney at Law
301 S. McDowell St., Suite 1014
Charlotte, NC 28273-3885

Kenneth Lautenschlager
Johnston, Allison & Hord, P.A.
1065 E. Morehead Street
Charlotte, NC 28204-2812

Terri L. Gardner
Nelson Mullins Riley & Scarborough, LLP
PO Box 30519
Raleigh, NC 27622-0519

Glenn C. Thompson
Hamilton Stephens Steele + Martin, PLLC
201 South College Street, Suite 2020
Charlotte, NC 28244-0028

Stacy C. Cordes
Burt & Cordes, PLLC
122 Cherokee Road, Suite 1
Charlotte, NC 28207-1962

Joseph J. Kalo, IV
Pittman & Steele, PLLC
PO Box 2290
Burlington, NC 27216

Thomas G. Hooper
Nelson Mullins Riley & Scarborough LLP
100 N. Tryon Street, Suite 4200
Charlotte, NC 28202-4034

Christopher T. Graebe
Graebe Hanna Sullivan PLLC
4350 Lassiter at North Hills Avenue
Raleigh, NC 27609-5743

Sarah Jayne Hayward
Tuggle Duggins PA
PO Box 2888
Greensboro, NC 27402-2888

Lee A. Peindl
Bray & Long, PLLC
2820 Selwyn Avenue, Suite 400
Charlotte, NC 28209-2762

Edward C. Hay, Jr.
Pitts, Hay & Hugenschmidt, P.A.
137 Biltmore Avenue
Asheville, NC 28801-4105

Susan W. Matthews
Patrick, Harper & Dixon, LLP
PO Box 218
Hickory, NC 28603-0218

Adam Lewis Ross
James McElroy Deihl P.A.
600 South College Street, Suite 3000
Charlotte, NC 28202-1897

Jill C. Walters
Poyner Spruill LLP
PO Box 1801
Raleigh, NC 27602-1801

Jimmy R. Summerlin Jr.
Young Morphis Bach & Taylor LLP
PO Drawer 2428
Hickory, NC 28603-2428

William R. Terpening
Nexsen Pruet PLLC
227 W. Trade Street, Suite 1550
Charlotte, NC 28202-1670

Julio E. Mendoza, Jr.
Nexsen Pruet LLC
PO Drawer 2426
Columbia, SC 29202-2426

Robert P. Laney
McElwee Firm, PLLC
906 Main Street
North Wilkesboro, NC 28659-4216

David C. Wright, III
Robinson Bradshaw Hinson P.A.
101 North Tryon Street, Suite 1900
Charlotte, NC 28246-0106

Ashley S. Rusher
Blanco, Tackabery, Combs & Matamoros,
P.A.
PO Drawer 25008
Winston-Salem, NC 27114-5008

S. Nelson Weston, Jr.
Richardson Plowden and Robinson, P.A.
PO Drawer 7788
Columbia, SC 29202-7788

Shannon Nelson Weston Jr.
Richardson Plowden Robinson
1900 Barnwell St.
Columbia, SC 29201-2604

Fred P. Parker, IV
James McElroy Diehl P.A.
600 South College Street, Suite 3000
Charlotte, NC 28202-1897

Sarah F. Sparrow
Tuggle Duggins & Meschan, P.A.
PO Box 2888
Greensboro, NC 27402-2888

Frederick M. Thurman, Jr.
Shumaker Loop Kendrick LLP
128 South Tryon Street, Suite 1800
Charlotte, NC 28202-5013

A. Burton Shuford
Shuford & Bain, PLLC
1909 J.N. Pease Place, Suite 101
Charlotte, NC 28262-4509

John R. Gardner
K&L Gates LLP
PO Box 17047
Raleigh, NC 27619-7047

R. Steven DeGeorge
Robinson Bradshaw & Hinson, P.A.
101 N. Tryon Street, Suite 1900
Charlotte, NC 28246

Douglas J. Tate
McGuire Wood & Bissette, P.A.
PO Box 3180
Asheville, NC 28802-3180

Frederick T. Smith
Seyfarth Shaw LLLP
6000 Fairview Road, Suite 1200
Charlotte, NC 28210

Mark K. York
Carruthers Roth PA
PO Box 540
Greensboro, NC 27402-0540

Wayne Sigmon
Sigmon & Henderson, PLLC
518 South New Hope Road
Gastonia, NC 28054

Joseph J. Kalo
Pittman & Steele, PLLC
1698 Westbrook Avenue
Burlington, NC 27216

Eric F. Barton
Seyfarth Shaw, LLP
1075 Peachtree, N.E., Suite 2500
Atlanta, GA 30309-3958

Charles P. Summerall, IV
Womble Carlyle Sandridge & Rice, LLP
PO Box 999
Charleston, SC 29402

Thomas W. Waldrep, Jr.
Jennifer B. Lyday
Womble Carlyle Sandridge & Rice, LLP
One West Fourth Street
Winston-Salem, NC 27101

Teadra G. Pugh
Parker Poe Adams & Bernstein LLP
401 South Tryon Street, Suite 3000
Charlotte, NC 28202

Andrew F. Lopez
McGuire Woods LLP
PO Box 31247
Charlotte, NC 28231

J. William Porter
Parker Poe Adams & Bernstein LLP
401 South Tryon Street, Suite 3000
Charlotte, NC 28202

Daniel S. Johnson
Vannoy, Colvard, Triplett & Vannoy,
PLLC
PO Box 1388
North Wilkesboro, NC 28659

J. Alexander S. Barrett
Hagan Davis Mangum Barrett Langley,
PLLC
300 North Greene Street, Suite 200
Greensboro, NC 27401

Hayley R. Wells
Ward and Smith, P.A.
PO Box 2020
Asheville, NC 28802-2020

Michael P. Thomas
Patrick, Harper & Dixon, L.L.P.
PO Box 218
Hickory, NC 28603

Exhibit A



Actionable Intelligence Technologies, Inc.
Statement of Work

Time and materials

<i>Client name</i>	Wayne Sigmon, Trustee ("Client")
<i>Client's administrator</i>	Louis J. Rouleau, Esq. Womble Carlyle Sandridge & Rice LLP ("WCSR")
<i>Project name</i>	ESN/EEP Data Capture
<i>Engagement duration</i>	120 Hours
<i>Delivery</i>	14 days

Schedule of rates

<i>Item description</i>	<i>Delivery schedule (estimated hours)</i>	<i>Cost (estimate)</i>
Data capture and processing for bank account statements at a rate of \$250.00/hr.	120	\$30,000.00

Statement of Work

Statement of work

This Statement of Work ("SOW") confirms the retention of Actionable Intelligence Technologies ("AIT") by Wayne Sigmon, Trustee, to provide independent professional services in connection with the bankruptcy proceedings involving Employee-Services.Net, Inc. ("ESN") and eePayrollServices, LLC ("EEP"), currently pending in the United States Bankruptcy Court for the Western District of North Carolina (the "Bankruptcy Court").

Project Overview

AIT will process approximately 10 gigabytes of paper and electronic bank documents of ESN and EEP and capture all data and transactions into a centralized comprehensive digital database. This will allow the Trustee to quickly identify the flow of money in the ESN and EEP accounts and identify transactions that may be overlooked when done manually.

Delivery

AIT will begin work immediately upon execution of this agreement. Work will be delivered within fourteen (14) days of begin date. AIT represents that it will perform the work described in this SOW in a professional manner exercising due skill and care.

Change Management Process

In case of changes in project scope that will alter the original estimate by more than ten (10) percent, AIT will notify Client immediately. At that point an additional Statement of Work agreement will have to be written and signed that includes an appropriate adjustment in processing time and delivery date.

Statement of Work

Professional services agreement

This Agreement shall commence on the first day after it has been signed by AIT and Client, and shall expire at the completion of all services to be performed as described above.

Payment Terms

1. Client will be solely responsible for all financial obligations to AIT in connection with this SOW. It is expressly understood and agreed that Client must obtain approval from the Bankruptcy Court before paying AIT's invoice. Unless stated otherwise in the Statement of Work, AIT shall invoice Client by sending a copy of said invoice to Client's Administrator, Louis J. Rouleau, Esq., at WCSR, at the completion of all services to be performed as described above. Client agrees to payment terms of net thirty (30) days from the date of Bankruptcy Court approval of said invoice.
2. Currency shall be in U.S. Dollars.
3. Prices are inclusive of all taxes, duties, customs fees or similar charges and are subject to an increase equal in amount to any charge AIT is required to collect or pay on provision of the services. In no event shall Client be responsible for taxes on AIT's property or net income.
4. All work done under this Agreement is done for hire and is the property and work product of Trustee and its counsel, WCSR. At the termination of this Agreement, AIT shall deliver to WCSR all work or work materials completed or in progress as of the date of termination.

Confidentiality

AIT will work at the direction of Trustee and its counsel, WCSR. AIT understands that it is being engaged to assist Trustee and WCSR in the rendering of legal advice and strategy in connection with the bankruptcy petitions filed by ESN and EEP. Accordingly, the parties agree and understand that all materials that AIT creates under this Agreement are confidential and shall continue to remain confidential and protected from disclosure to any third party, and AIT agrees not to disclose any such

Statement of Work

information, materials or work without prior written consent from WCSR. AIT agrees to notify WCSR within five (5) days of receipt of any court order, subpoena, or government directive calling for the disclosure of any such information, materials or work. AIT understands that its communications with WCSR and the materials AIT generates or receives from WCSR related to this engagement and Agreement are protected from discovery by the attorney-client privilege and/or attorney work product doctrine.

Acceptance and authorization

The terms and conditions of the **Statement of Work** apply in full to the services and products provided under this Statement of Work.

IN WITNESS WHEREOF, the parties hereto each acting with proper authority have executed this Statement of Work, under seal.

Wayne Sigmon

Full name

Trustee

Title

Signature

Date

Susan Deehan

Full name

Chairman & CEO

Title

Signature

Date

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

Exhibit B

IN RE:) Chapter 7 – Consolidated Cases
)
EMPLOYEE-SERVICES.NET, INC.,) Case No. 14-30584 (Lead Case)
and)
EEPAYROLLSERVICES, LLC,)
)
)
)
Debtors.

DECLARATION OF ACTIONABLE INTELLIGENCE TECHNOLOGIES, INC.

I, Susan Deehan, the Chairman and Chief Executive Officer of Actionable Intelligence Technologies, Inc. ("AIT"), as to the project set forth in the attached Application, declare as follows:

1. AIT has extensive experience conducting large, complex financial investigations including domestic and international securities fraud, corruption, Ponzi schemes, tax fraud, money laundering, and conspiracy cases.
2. AIT is willing to accept employment by the Trustee on the basis set forth in the Application.
3. AIT does not have an interest adverse to the Trustee or the estate in regards to the matters for which it is being employed herein and it is a disinterested person within the meaning of 11 U.S.C. § 101(14).

I declare under penalty of perjury that the foregoing is true and correct.

Actionable Intelligence Technologies, Inc.

By: Susan M. Deehan

Title: Chairman & CEO